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28 May 1982

MEMORANDUM FOR: Deputy Director of Central Intelligence
✓ Executive Director
Director, Intelligence Community Staff
Chairman, National Intelligence Council
Deputy Director for Operations
Directorate of Intelligence
Deputy Director of Administration
Deputy Director of Science and Technology
Comptroller
Inspector General
Director, Office of External Affairs
Director of Personnel

FROM: Director of Central Intelligence

SUBJECT: Screening Arrangement Concerning
Certain Agency Matters

1. To comply with a recent Office of Government Ethics (OGE) directive, I will recuse myself from participation in any matter which may directly or indirectly affect any of my financial holdings. As this attached OGE directive indicates, Presidential appointees are required to establish suitable screening arrangements to ensure that they avoid participating in particular matters which may affect their specific personal financial interests. Pursuant to this directive, I am requesting that each of you review matters to be forwarded for my consideration to ensure that any action I may be required to take with respect to this matter will not affect or appear to affect the financial interests of any of the companies listed on the attached page.

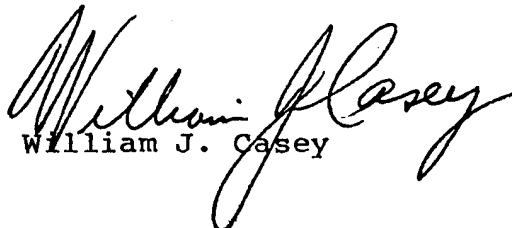
2. If a particular matter appears to involve or otherwise affect any of these listed companies, a full description of the particular matter should be presented to the Deputy Director of Central Intelligence (DDCI) and the General Counsel so that they may decide on the appropriate course of action to follow in such case. Two courses of action are available in these circumstances: a) I may dispose of the affected financial holding and thereafter participate in the particular matter; or b) I may decide to retain my financial interest in which case I may not become involved in consideration of the case. The purpose of the review by the DDCI and the General Counsel will be to identify those matters which, in their judgment, I should not participate. If the DDCI and General Counsel decide that I should not participate, the DDCI shall act in my place with

respect to this particular matter in accordance with Section 102(a) of the National Security Act.

3. After the DDCI and General Counsel have screened the matter, and if they determine to forward the matter to me, they will provide me with information limited to identifying the particular company involved and a statement that I will be required to make a decision which may affect this particular entity in which I have a financial interest. I will decide at this point whether I wish to dispose of the holding and take part in the matter or retain the holding and recuse myself from any involvement with the case. Again, if I choose not to participate in a particular case, the DDCI will act on my behalf with respect to this matter.

4. Each of the holdings listed on the attached page has been reported to and reviewed by this Agency's Designated Ethics Official and OGE, who have both concluded that my retention of these investments at the present time is permissible under applicable conflict of interest laws.

5. The above list of companies will be updated when necessary to reflect changes in my investment portfolio.


William J. Casey

Attachments

- A. List of Companies
- B. OGE Directive

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United States of America

Office of
Government EthicsOffice of Personnel Management
Washington, D.C. 20415M E M O R A N D U M

SUBJECT: Confirmation Agreements by the President's Appointees

FROM: J. Jackson Walter
Director

TO: Designated Agency Ethics Officials

Many of the President's Senate-confirmed appointees agreed to take certain steps prior to assuming their new federal offices in order to cure possible conflict of interest problems. These steps include such things as resignations from corporate boards of directors, disqualification or recusal from particular matters involving personal financial interests and divestitures.

Subpart B of 5 C.F.R. Part 738 establishes a decentralized administrative scheme for the ethics in government program. Accordingly, it is the responsibility of the designated agency ethics officials to assure compliance with these undertakings. Given the statutory oversight responsibility of the Office of Government Ethics, I want to remind each of you of this arrangement and to suggest what seem to me the minimum essential elements of a reasonable compliance effort.

1. You ought to have a list of all the confirmation agreements made by each of the President's Senate-confirmed appointees in your agency or department. If you are not certain about these undertakings, please call this Office and we will help you work up this list.
2. You should, by now, have satisfied yourselves that all the agreed-upon resignations and divestitures have been or are being effected, depending on the date of confirmation.
3. Appointees of the President who agreed to recuse themselves from all particular matters involving specific personal financial interests should, by now, have established suitable implementing screening arrangements. At a minimum, such an arrangement would consist of a memorandum or written instruction, issued frequently enough or otherwise institutionalized to assure continued viability, directing the appointee's staff to forward information about any particular matter involving the specified personal financial interests to another named official. (For guidance on this topic, look to Formal Opinion 342 of the Committee on Ethics and Professional Responsibility of the American Bar Association (1975)).

Each of the President's appointees should have—and, to the best of my knowledge, most have—carried out the terms of their confirmation agreements prior to taking office. I expect your compliance program to be self-executing. In every case, these confirmation agreements by the President's appointees have been made part of the Senate's record of confirmation. The several confirmation committees are exceedingly mindful of these undertakings. Given our Office's statutory oversight responsibility and the opinion letter on each nominee that I sent to these committees, they will expect me to see that these commitments are honored.